

#23
appeal
6/26/03

**NOTICE OF APPEAL FROM THE EXAMINER TO THE
BOARD OF PATENT APPEALS AND INTERFERENCES AND/OR
SUBMISSION OF APPEAL BRIEF**

Atty. Docket No.: ADI-022

In re Application of: **Lussier**

Application Serial Number: **09/630,938**

Filed: **2-Aug-00**

Group Art Unit: **3728**

Examiner: **M.D. Patterson**

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of the Examiner dated **18-Mar-03**, rejecting the following claims: **1, 4-23, 26-31, and 35-39**.

The fee for this Notice of Appeal is (37 CFR 1.17(b)) \$ **320.00**

☐ Fee for Brief in support of appeal (37 CFR 1.17(c)) \$

☐ Applicant claims small entity status under 37 CFR 1.27, therefore, the fee(s) shown above is/are reduced by half, and the resulting fee is: \$

☐ Appeal Brief enclosed in triplicate.

☒ **A check in the amount of the fee is enclosed.**

☐ The Commissioner is hereby authorized to charge the required fee to Deposit Account No. 20-0531. Enclosed is a copy of this sheet.

☒ **The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment, to Deposit Account No. 20-0531.**

☐ A petition for an extension of time under 37 CFR 1.136(a) is enclosed.

☒ **Return receipt postcard enclosed.**

RECEIVED

JUN 24 2003

TECHNOLOGY CENTER R3700

I am the ☐ applicant
☐ assignee of record of the entire interest.
☒ **attorney or agent of record.**
☐ attorney or agent under 37 CFR 1.34(a).

Registration number if acting under 37 CFR 1.34(a). _____

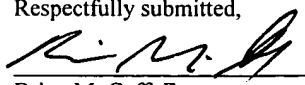
CORRESPONDENCE ADDRESS

Direct all correspondence to: Patent Administrator
Testa, Hurwitz & Thibault, LLP
High Street Tower
125 High Street
Boston, MA 02110
Tel No.: (617) 248-7000
Fax No.: (617) 248-7100

SIGNATURE BLOCK

Date: June 17, 2003
Reg. No. 44,691
Tel. No.: (617) 310-8085
Fax No.: (617) 790-0332
Email: gaff@tth.com

Respectfully submitted,


Brian M. Gaff, Esq.
Attorney for Applicant
Testa, Hurwitz & Thibault, LLP
High Street Tower
125 High Street
Boston, MA 02110

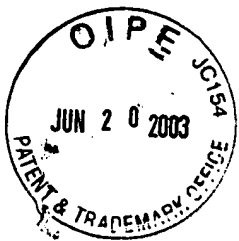
VER 12/00
1122722

GAFFBM\257\10.2640677_1

06/20/2003 MDATE1 00000117 09630938

01 FC:1401

320.00 0P



AF/3728
47

PATENT
Attorney Docket No. **ADI-022**
(257/10)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: **Lussier**
SERIAL NO.: **09/630,938** GROUP NO.: **3728**
FILING DATE: **2-Aug-00** EXAMINER: **M.D. Patterson**
TITLE: **CHASSIS CONSTRUCTION FOR AN ARTICLE OF FOOTWEAR**

CERTIFICATE OF FIRST CLASS MAILING UNDER 37 C.F.R. 1.8

I hereby certify that this correspondence, and any documents referred to as enclosed herein, are being deposited with the United States Postal Service as first class mail, postage prepaid, in an envelope addressed to **Mail Stop Appeal Brief - Patents, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450** on this 17th day of June, 2003.


Betty B. Leveriza

Mail Stop Appeal Brief - Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RECEIVED
JUN 24 2003

Sir/Madam:

TECHNOLOGY CENTER 15700

Submitted are the following:

- 1) Notice of Appeal from the Examiner to the Board of Patent Appeals and Interferences (1 pg.);
- 2) check for \$320.00 for filing fee; and
- 3) a return receipt postcard.